



Jamie R. Wozman  
77 Water Street, Suite 2100  
New York, New York 10005  
Jamie.Wozman@lewisbrisbois.com  
Direct: 212.232.1346

June 13, 2025

File No. 43008.158

**VIA ECF**

The Honorable Nelson S. Román  
United States District Court, Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 6/17/2025

Re: **Heather Grier v. Orange County, et al., Case No. 24-cv-02028; Letter Regarding Pending Motion to Dismiss**

Dear Judge Román:

We represent defendant Mark Specthrie in the above-identified action. We submit this joint status update and renewed request for dismissal on behalf of defendant Mark Specthrie and defendants Orange County, Orange County Department of Social Services, and Peter R. Schwarz ("Orange County Defendants").

The Orange County Defendants filed a Suggestion of Death on August 22, 2024. ECF No. 38. On August 26, 2024, Your Honor thereafter stayed this matter until November 25, 2024. Defendants submitted a joint motion to dismiss pursuant to Fed. R. Civ. P. 25(a)(1) on November 25, 2024, since a motion to substitute another party or Plaintiff's estate was not filed within 90 days of the filing of the Suggestion of Death, as required by the Rule. ECF No. 41. As set forth in that motion, counsel for Plaintiff neither contacted counsel for defendants nor responded to counsel's attempts to contact him. *Id.* Plaintiff's counsel has not opposed the motion to dismiss or contacted the undersigned or counsel for the Orange County Defendants since defendants filed the motion dismiss. Because no party has submitted a motion to substitute and Plaintiff's counsel appears to have abandoned the case, it is respectfully submitted that defendants' previously-filed motion to dismiss be granted.

Thank you for your consideration of this letter.

Pursuant to FRCP 25(a)(1), the Court dismisses the action without prejudice to renew. Defendants' motion to dismiss is DENIED as moot. The Clerk of Court is directed to terminate the motion at ECF No. 41 and the action. The Clerk of Court is further directed to mail a copy of this endorsement to *pro se* Defendant John Karl III at his address as it is listed on ECF and to show service on the docket.

Respectfully Submitted,

/s/ Jamie R. Wozman

Jamie R. Wozman of  
LEWIS BRISBOIS BISGAARD & SMITH LLP

Dated: June 17, 2025  
White Plains, NY

SO ORDERED:  
  
NELSON S. ROMÁN  
United States District Judge

The Hon. Nelson S. Román  
June 13, 2025  
Page 2

JW/npb  
cc: All Counsel via ECF